

United States Environmental Protection Agency  
Region 5

IN THE MATTER OF:	)	
	)	
IFCO ICS-Chicago, Inc.	)	FINDING OF VIOLATION
2300 West 13 <sup>th</sup> Street	)	
Chicago, Illinois 60608	)	EPA-5-02-IL-04
	)	
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 <u>et seq.</u>	)	

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency (U.S. EPA) finds that IFCO ICS-Chicago, Inc. (IFCO) is violating Section 114 of the Clean Air Act, 42 U.S.C. § 7414 (the Act). Specifically, IFCO is violating the provisions setting forth the authority to request information which the Administrator may reasonably require to carry out any provision of the Act.

**Regulatory Authority**

1. Section 114 of the Act, 42 U.S.C. § 7414, provides that the Administrator (or delegated authority) may require that any person who owns or operates an emission source, on a one-time, periodic or continuous basis, provide information which the Administrator may reasonably require to carry out any provision of the Act.

**IFCO's Facility**

2. IFCO, formerly known as the Acme Barrel Company, owns and operates a steel drum reconditioning facility at 2300 West 13<sup>th</sup> Street, Chicago, Illinois.
3. The IFCO facility is an emission source subject to the requirements of the Act, including Section 114 of the Act, 42 U.S.C. § 7414 and any applicable requirements of the federally-approved Illinois State Implementation Plan (SIP).
4. IFCO's steel drum reconditioning facility is subject to 35 Ill. Admin. Code Part 218, Subpart TT (Subpart TT), which is part of the Illinois SIP for volatile organic material (VOM) emissions.

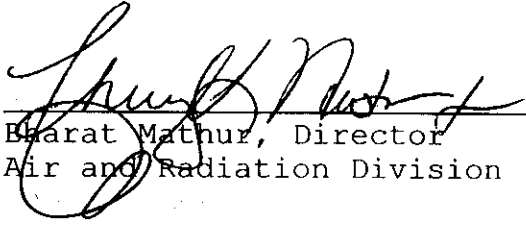
5. On August 27, 2001, U.S. EPA issued a Request for Information to IFCO pursuant to Section 114 of the Act, 42 U.S.C. § 7414. The Request for Information required IFCO to conduct VOM capture and destruction efficiency testing to determine whether the facility's drum furnace operation is in compliance with Subpart TT of the Illinois SIP.

**Violations**

6. IFCO failed to conduct the testing at the IFCO facility as required by U.S. EPA's Request for Information issued on August 27, 2001 in violation of 42 U.S.C. § 7414.

Date

1/10/02

  
Bharat Mathur, Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, certify that I sent a Finding of Violation, No. EPA-5-02-IL-04 by Certified Mail, Return Receipt Requested, to:

Mr. Robert Conway  
Regional Manager  
IFCO-ICS-Chicago, Inc.  
2300 West 13<sup>th</sup> Street  
Chicago, Illinois 60608

I also certify that I sent copies of the Finding of Violation by first class mail to:

Julie Armitage, Acting Manager  
Compliance and Enforcement Section  
Illinois Environmental Protection Agency  
1021 North Grand Avenue  
Springfield, Illinois 62702

Harish Narayen, Acting Regional Manager  
Region 1  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, IL 60016

William F. Abolt, Commissioner  
City of Chicago Department of Environment  
30 North LaSalle Street, 25<sup>th</sup> Floor  
Chicago, Illinois 60602

on the 11<sup>th</sup> day of January, 2002.

Betty Williams  
Betty Williams, Secretary  
AECAS, (IL/IN)

CERTIFIED MAIL RECEIPT NUMBER: 70993400 0000 95977041